

Notice of Allowability

Application No.

09/875,864

Applicant(s)

BANERJEE ET AL.

Examiner

Nicholas D. Rosen

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of November 30, 2004.
2. ☒ The allowed claim(s) is/are 1-34, 36-43, 45-53 and 55-61.
3. ☒ The drawings filed on 10 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>10/13/04</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Claims 1-34, 36-43, 45-53 and 55-61 have been examined.

Allowable Subject Matter

Claims 1-11 are allowed.

Claims 12-21 are allowed.

Claims 22-32 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Gillman (U.S. Patent Application Publication 2002/0147674), discloses a method for procuring a manufacturer for a project request, comprising the steps of: submitting a specialized project request for a buyer to at least one manufacturer broker (paragraphs 26, 27, and 30); receiving a plurality of feasibility responses for manufacture of said project request from a plurality of prospective manufacturers via said at least one manufacturer broker (paragraphs 38, 41, 42, and 44); and responding to said plurality of feasibility responses by selecting a manufacturer from among said plurality of prospective manufacturers, such that said buyer procures said manufacturer from among said plurality of prospective manufacturers utilizing a single project request (paragraphs 45, 46, and 49). However, Gillman does not disclose comparing the project request with a plurality of current project requests, etc. These additional features are most nearly approached by the demand aggregation system of Van Horn et al. (U.S. Patent 6,604,089) disclose enabling buyers to submit project requests which other potential buyers are then informed of, for the purpose of obtaining

bulk discounts (see especially column 4, lines 1-21, and column 9, lines 55-67). Walker et al. (U.S. Patent 6,466,919) is also of interest. However, neither Gillman, Van Horn, Walker nor any other prior art of record, discloses, teaches, or reasonably suggests identifying one from among a plurality of current project requests filed with at least one manufacturer broker that matches the buyer's specialized project request, receiving a notification for said buyer of said one of said plurality of current project requests that matches the buyer's specialized project request; responsive to receiving a selection by said buyer of said one of said plurality of current project requests, submitting said selection to said at least one manufacturer broker, wherein said at least one manufacturer broker facilitates specialization of said one of said current project requests by said buyer.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 33-34 and 37-42 are allowed.

Claims 43 and 45-51 are allowed.

Claims 52-53 and 55-61 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art of record, Gillman (U.S. Patent Application Publication 2002/0147674), discloses a method for brokering project requests among a plurality of available

manufacturers, said method comprising the steps of: receiving a project request from a buyer (Abstract; paragraphs 26, 27, and 30); distributing said project request according to type of manufacture to a selection of prospective manufacturers from among a plurality of available manufacturers (paragraphs 34 and 35); and, in response to receiving feasibility responses from said selection of prospective manufacturers (paragraphs 38, 41, 42, and 44), facilitating feasibility of manufacture of said project request according to said plurality of feasibility responses, such that said project request is brokered for said buyer to facilitate obtaining a manufacturer for said project request (Abstract; paragraphs 45, 46, 48, and 49). However, Gillman does not disclose processing the project request to compare it with a plurality of current project requests, etc. These additional features are most nearly approached by the demand aggregation system of Van Horn et al. (U.S. Patent 6,604,089) disclose enabling buyers to submit project requests which other potential buyers are then informed of, for the purpose of obtaining bulk discounts (see especially column 4, lines 1-21, and column 9, lines 55-67). Walker et al. (U.S. Patent 6,466,919) is also of interest. However, neither Gillman, Van Horn, Walker, nor any other prior art of record, discloses, teaches, or reasonably suggests processing a buyer's project request to compare it with a plurality of current project requests; notifying the buyer if the project request matches one of said plurality of current project requests; and, in response to receiving a buyer request for said one of said plurality of current project requests, facilitating said buyer in placing a specified order for said one of said plurality of current project requests.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Coffman et al. (U.S. Patent Application 2004/0215467) disclose a method and system for electronic document handling, such as for requests for quotations under an electronic auction.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen whose telephone number is 703-305-0753. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Non-official/draft communications can be faxed to the examiner at 703-746-5574.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas D. Rosen

**NICHOLAS D. ROSEN
PRIMARY EXAMINER**

December 6, 2004